

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector & District Magistrate, YSR District, Kadapa in respect of **Sri Nayineni Siva @ Nagineni Siva @ Dasaripalli Siva, S/o Lakshumaiah, aged 38 years, Dasaripalli Village of Duvvuru Manadal of YSR District, Kadapa** - Confirmed – Orders – Issued.

GENERAL ADMINISTRATION (LAW & ORDER) DEPARTMENT

G.O.Rt.No.2901

Dated 21-08-2014
Read the following:-

1. Order of detention in Procdgs. Ref No.C1/533/M//2014, dt. 30-06-2014 of Collector & District Magistrate, YSR District, Kadapa.
2. G.O.Rt.No. 2547, G.A. (Law & Order) Dept., dt.09-07-2014.
3. From the Advisory Board Report Dated:30.07.2014

ORDER:

WHEREAS the Collector & District Magistrate, YSR District, Kadapa has made an order of detention, vide reference first read above under section 3 (1) & (2) r/w. 2(a) & (b) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against **Sri Nayineni Siva @ Nagineni Siva @ Dasaripalli Siva, S/o Lakshumaiah, aged 38 years, Dasaripalli Village of Duvvuru Manadal of YSR District, Kadapa**, for illicit Red Sanders trees cutting dressing, storing and transporting of the red sanders heart wood causing willful destruction and damage to the public property besides a tremendous loss of National welth, deletion of green cover resulting ecological balance having ramification on the health and well being of public order;

2. AND WHEREAS the Government have accorded approval of the said detention order under sub-section (3) of section 3 of the Act, vide Government Orders second read above;

3. AND WHEREAS the Advisory Board on Preventive Detentions, constituted under section 9 of the said Act, comprising of Justice Sri T.L.N. Reddy (Retired), Chairman and two other Members, reviewed the case on 30.07.2014 and after having heard the detenu, the Investigating Officers and also upon perusing the grounds of detention and the connected records, has reported that in its opinion "there is sufficient cause for the detention of the detenu, Sri Nayineni Siva @ Nagineni Siva @ Dasaripalli Siva, S/o Lakshumaiah, aged 38 years, Dasaripalli Village of Duvvuru Manadal of YSR District, Kadapa".

4. WHEREAS, the Government on careful examination of the entire record, it is observed that the detenu, Sri Nayineni Siva @ Nagineni Siva @ Dasaripalli Siva, S/o Lakshumaiah, aged 38 years, Dasaripalli Village of Duvvuru Manadal of YSR District, Kadapa was involved in as many as in eighteen (18) cases, The above cases were registered against him, under the provisions of Sec.20(1) (ii) (iii) (iv) & (X) & 27 of A.P. Forest Act, 1967 and also under section 29 of Wild Life Protection Act, 1972 and 55(2) of Biological Diverting Act-2002 and Sec 307, 353 & 379 IPC. The details shows that he is a habitual offender. He continued his activities incessantly and fearlessly and involved in red sanders smuggling repeatedly without any remorse in respect of his previous forest cases/ misdeeds did not show any respect for forest and wild Laws/Acts and concealed his presence evading subsequent arrests. The said activities are dangerous to forest wealth and prejudicial to maintenance of public order apart

from disturbing the peace, tranquillity, social harmony / order in the society and he became a source of potential danger to the public. The said offences are punishable under Forest Act, 1967 and the rules made there under, as well as Chapter XVII of IPC. As such the activities of the individual falls under and within the meaning of 'Goonda' as defined under sec. 2(g) of Act 1 of 1986. All the incidents mentioned in the grounds of detention clearly substantiate as to how the acts of the detenu are prejudicial to the maintenance of public order. In catena of decisions, the Hon'ble Courts held that 'any acts of attempt or illegal cutting of the red sander trees and smuggling the timber, would certainly have its impact on the public order". The detaining authority having taken into account and consideration of indulgence of the detenu in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb his illegal activities, has passed the detention order against the detenu by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order and dangerous to forest wealth. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the Detenu. As such, the detenu deserves the maximum period of detention, as provided under sec.13 of the Act.

5. NOW, THEREFORE, after due consideration of the report of the Advisory Board and the material available on record, Government, in exercise of the powers conferred under Sub-Section (1) of Section 12 read with Section 13 of the said Act, hereby confirm the Order of Detention made by the Collector & District Magistrate, YSR District, Kadapa in the ref. 1st read above, as approved in the G.O. 2nd read above and direct that the detention of **Sri Nayineni Siva @ Nagineni Siva @ Dasaripalli Siva, S/o Lakshumaiah, aged 38 years, Dasaripalli Village of Duvvuru Manadal of YSR District, Kadapa** be continued for a period of 12 (Twelve) months from the date of his detention, i.e. 03.07.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R. KRISHNA RAO
CHIEF SECRETARY TO GOVERNMENT

To

Sri Sri Nayineni Siva @ Nagineni Siva @ Dasaripalli Siva, S/o Lakshumaiah, aged 38 years, Dasaripalli Village of Duvvuru Manadal of YSR District, Kadapa through the Superintendent, Central Prison, Rajahmundry, East Godavari District.

The Superintendent, Central Prison, Rajahmundry, East Godavari District
(with instructions to serve the order on the detenu immediately under proper acknowledgement and arrange to read over and explain the contents therein to the detenu in the language known to him and report compliance to Government)

The Collector & District Magistrate, YSR District, Kadapa.

The Superintendent of Police, YSR District, Kadapa.

Copy to:

The Director General of Police, A.P., Hyderabad.

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Addl. Director General of Police (Intelligence), A.P., Hyderabad.

SC/SF

//FORWARDED::BY ORDER//

SECTION OFFICER (SC)